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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,662	12/29/2000	Kim L. Richardson	MARY/006/DHE	8893
7590	03/13/2006			
Douglas H Elliott 3015 Duke Street Houston, TX 77005-3409				
			EXAMINER PASS, NATALIE	
			ART UNIT 3626	PAPER NUMBER
DATE MAILED: 03/13/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/751,662	<b>Applicant(s)</b> RICHARDSON, KIM L.	
	<b>Examiner</b> Natalie A. Pass	<b>Art Unit</b> 3626	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 February 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Notice to Applicant***

1. This communication is in response to the amendment filed 1 February 2006. Claims 2-29 have been cancelled. Claim 1 has been amended. Claim 1 remains pending.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(A) Claim 1 recites the limitation "the purchaser" in line 10.

There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over "Crisis, Grief and Healing" web pages, February 4, 1998, URL:

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<<http://web.archive.org/web/19980204184657/www.webhealing.com/>>, hereinafter known as Crisis, in view of Belanger, U.S. Patent Application Publication Number 2001/0020244, and "Angels Online Memorial Pages" web pages, February 6, 1998, URL:

<<http://web.archive.org/web/19980206233107/http://www.lastingmemories.com/>>, hereinafter known as Angels.

(A) Claim 1 has been amended to recite

- "associated with that memorial site that provides editing access to selected pages on that memorial site" in lines 5-6; and
- "providing for payment after the posting of the memorial page at a later time following a decision by the purchaser to continue maintaining the memorial site on the website" in lines 9-11.

As per newly amended claim 1, Crisis teaches a method of maintaining a memorial site on a web site, comprising:

(a) providing for the posting without charge of a memorial page on a web site, the memorial page corresponding to a deceased individual, the memorial page including a photograph of the deceased individual and identifying text (Crisis; see at least page 3, paragraphs 1-3).

Crisis fails to explicitly disclose the memorial site being capable of being edited from a remote workstation using a family member password associated with that memorial site that provides editing access to selected pages on that memorial site.

However, the above features are well-known in the art, as evidenced by Belanger.

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In particular, Belanger teaches a method comprising the memorial site being capable of being edited from a remote workstation using a family member password associated with that memorial site that provides editing access to selected pages on that memorial site (Belanger; paragraph [0010]- [0011], paragraph [0024], paragraph [0028]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Crisis to include these limitations, as taught by Belanger, with the motivations of allowing a user to “author, create, maintain, edit, copy, save and delete a Web site or a portion thereof” and to “manage their own Web sites” (Belanger; paragraph [0005], paragraph [0007]).

Crisis fails to explicitly disclose a method including

(b) providing for payment after the posting of the memorial page at a later time following a decision by the purchaser to continue maintaining the memorial site on the website.

However, the above features are well-known in the art, as evidenced by Angels.

In particular, Angels teaches a method including

(b) providing for payment after the posting of the memorial page at a later time following a decision by the purchaser to continue maintaining the memorial site on the website (Angels; page 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Crisis to include these limitations, as taught by Angels, with the motivations of providing an appropriate method for preserving a service that that provides “pleasing memorial page[s] that can be accessed anytime day or night” and “provides a unique

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way of spanning the globe to bring friends and family together at one virtual site to honor their loved ones” (Angels; page 2).

***Response to Arguments***

6. Applicant's arguments filed 1 February 2006 have been fully considered but they are moot in view of the new ground(s) of rejection.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. The cited but not applied references Truong, U.S. Patent Number 6, 151, 609 and Fenton, U.S. Patent Application Publication Number 2002/0194151 and the article teach the environment of remotely creating and editing memorial web pages.

GriefNet Memorial Garden website. March 1999. [Retrieved on March 1, 2006].

Retrieved from Internet. URL:

<<http://web.archive.org/web/19990503155315/www.griefnet.org/memcard.html>>.

8. Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington D.C. 20231**

or faxed to: **(571) 273-8300.**

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For informal or draft communications, please label  
"PROPOSED" or "DRAFT" on the front page of the communication  
and do NOT sign the communication.

After Final communications should be labeled "Box AF."

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Natalie A. Pass whose telephone number is (571) 272-6774. The examiner can normally be reached on Monday through Thursday from 9:00 AM to 6:30 PM. The examiner can also be reached on alternate Fridays.
10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached at (571) 272-6776. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (571) 272-3600.
11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Natalie A. Pass

March 1, 2006



C. LUKE GILLIGAN  
PATENT EXAMINER